

RECEIVED
CENTRAL FAX CENTER

FAX TRANSMISSION

OCT 13 2004

DATE: October 13, 2004

PTO IDENTIFIER: Application Number 10/711,398-Conf. #5397
Patent Number

Inventor: Alexander P. RIGOPULOS

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: LAHIVE & COCKFIELD, LLP

John D. Lanza

PHONE: (617) 227-7400

Attorney Dkt. #: HXT-007

PAGES (Including Cover Sheet): 10

CONTENTS: Fee Transmittal (1 page: in duplicate);
Amendment Transmittal (1 page: in duplicate); and
Amendment (6 pages).

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LAHIVE & COCKFIELD, LLP
28 State Street, Boston, Massachusetts 02109
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

PTO/SB/17 (10-04-02)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no person is required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 108.00)

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number 12-0080
Depositor Name Lahive & Cockfield, LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fees
 Charge fee(s) indicated below, except for the filing fee to the above-nominated deposit account.

FEE CALCULATION
1. BASIC FILING FEE

Large Entity Fee Code (\$)	Fee	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee
1002	350	2002	175	Design filing fee
1003	550	2003	275	Plant filing fee
1004	790	2004	395	Reissue filing fee
1005	160	2005	80	Provisional filing fee
SUBTOTAL (1)			(\$ 0.00)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-28** =	Extra Claims	Fee from Below	Fee Paid
32	-28** =	4	18.00	108.00
Independent Claims 2	-3** =			0.00

Large Entity Fee Code (\$)	Fee	Small Entity Fee Code (\$)	Fee Description
1202	18	2202	9 Claims in excess of 20
1201	88	2201	44 Independent claims in excess of 3
1203	300	2203	150 Multiple dependent claim, if not paid
1204	88	2204	44 ** Reissue independent claims over original patent
1205	18	2205	9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)			(\$ 108.00)

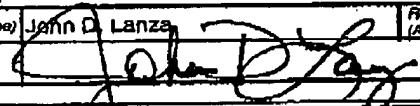
** or number previously paid, if greater. For Reissues, see above

Complete If Known	
Application Number	10/711,398-Conf. #5397
Filing Date	September 16, 2004
First Named Inventor	Alexander P. RIGOPULOS
Examiner Name	Not Yet Assigned
Art Unit	N/A
Attorney Docket No.	HXT-007

FEE CALCULATION (continued)
3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Fee	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65 Surcharge - late filing fee or oath	
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet	
1053	150	2053	130 Non-English specification	
1812	2,520	1812	2,520 For filing a request for ex parte reexamination	
1804	820*	1804	820* Requesting publication of SIR prior to Examiner action	
1806	1,840*	1806	1,840* Requesting publication of SIR after Examiner action	
1251	110	2251	55 Extension for reply within first month	
1252	430	2252	215 Extension for reply within second month	
1253	980	2253	490 Extension for reply within third month	
1254	1,530	2254	765 Extension for reply within fourth month	
1255	2,080	2255	1,040 Extension for reply within fifth month	
1401	340	2401	170 Notice of appeal	
1402	340	2402	170 Filing a brief in support of an appeal	
1403	500	2403	150 Request for oral hearing	
1451	1,510	1451	1,510 Petition to institute a public use proceeding	
1452	110	2452	55 Petition to revive - unavoidable	
1453	1,370	2453	685 Petition to revive - unintentional	
1501	1,370	2501	685 Utility issue fee (or reissue)	
1502	490	2502	245 Design issue fee	
1503	660	2503	330 Plant issue fee	
1480	130	1460	130 Petitions to the Commissioner	
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180 Submission of Information Disclosure Stmt	
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
1809	790	2809	395 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395 For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395 Request for Continued Examination (RCE)	
1802	900	1802	900 Request for expedited examination of a design application	
Other fee (specify)				
Reduced by Basic Filing Fee Paid				
SUBTOTAL (3)			(6) 0.00	

(Complete if applicable)

SUBMITTED BY	
Name (Print/Type) John D. Lanza	Registration No. (Attorney/Agent) 40,060
Signature 	Telephone (617) 227-7400

Date October 13, 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below	
Dated: October 13, 2004	Signature 
(John D. Lanza)	

COPY

PTO/SB/17 (10-04-2)
Approved for use through 7/31/2006 OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 108.00)

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number

Deposit Account Name

12-0080

Lahive & Cockfield, LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Clear any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 780	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 650	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-26** =	Extra Claims	Fee from before	Fee Paid
32	-26** =	6	18.00	108.00
Independent Claims 2	-3** =	4		0.00
Multiple Dependent				

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid ** Reissue independent claims over original patent
1204 88	2204 44	** Reissue claims in excess of 20 and over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 108.00)

* or number provided plus 1 or greater. For Reissues, see above

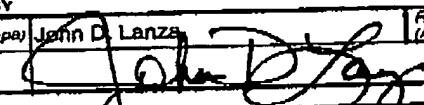
<i>Complete if Known</i>	
Application Number	10/711,398-Conf. #6397
Filing Date	September 16, 2004
First Named Inventor	Alexander P. RIGOPULOS
Examiner Name	Not Yet Assigned
Art Unit	N/A
Attorney Docket No.	HXT-007

FEE CALCULATION (continued)

3. ADDITIONAL FEES

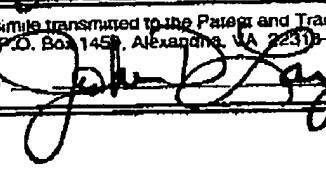
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or cash	
1042 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	Filing a request for ex parte reexamination	
1804 820*	1804 820*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340*	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1463 1,370	2463 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2603 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 780	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$ 0.00)	

(Complete if applicable)

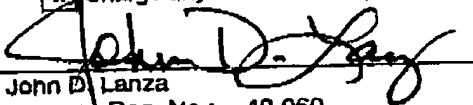
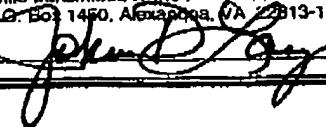
SUBMITTED BY	Registration No. (Attorney/Agent)	Telephone
Name (Print/Type): John D. Lanza	40,060	(617) 227-7400
Signature: 	Date	October 13, 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

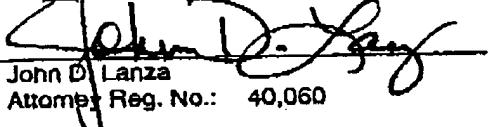
Dated: October 13, 2004

Signature: 

(John D. Lanza)

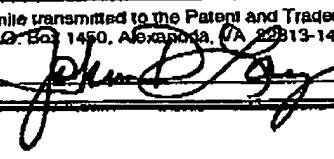
AMENDMENT TRANSMITTAL LETTER				Docket No. HXT-007
Application No. 10/711,398-Conf. #5397	Filing Date September 16, 2004	Examiner Not Yet Assigned	Art Unit N/A	
Applicant(s): Alexander P. RIGOPULOS				
Invention: CREATING AND SELLING A MUSIC-BASED VIDEO GAME				
TO THE COMMISSIONER FOR PATENTS				
Transmitted herewith is an amendment in the above-identified application.				
The fee has been calculated and is transmitted as shown below.				
CLAIMS AS AMENDED				
Total Claims	Claims Remaining After Amendment 32	Highest Number Previously Paid - 26 =	Number Extra Claims Present 6	Rate x 18 108.00
Independent Claims	2	- 3 =		x 0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				
Other fee (please specify):				
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 108.00				
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity <input type="checkbox"/> No additional fee is required for this amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 12-0080 in the amount of \$ 108.00 A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 12-0080 as described below. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.				
Dated: October 13, 2004				
 John D. Lanza Attorney Reg. No.: 40,060				
LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400				
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-8308 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. Dated: October 13, 2004 Signature:  (John D. Lanza)				

COPY

AMENDMENT TRANSMITTAL LETTER				Docket No. HXT-007
Application No. 10/711,398-Conf. #5397	Filing Date September 16, 2004	Examiner Not Yet Assigned	Art Unit N/A	
Applicant(s): Alexander P. RIGOPULOS				
Invention: CREATING AND SELLING A MUSIC-BASED VIDEO GAME				
TO THE COMMISSIONER FOR PATENTS				
Transmitted herewith is an amendment in the above-identified application.				
The fee has been calculated and is transmitted as shown below.				
CLAIMS AS AMENDED				
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate
Total Claims	32	- 26 =	6	x 18 108.00
Independent Claims	2	- 3 =		x 0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				
Other fee (please specify):				
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 108.00				
<input checked="" type="checkbox"/> Large Entity		<input type="checkbox"/> Small Entity		
<input type="checkbox"/> No additional fee is required for this amendment.				
<input checked="" type="checkbox"/> Please charge Deposit Account No. 12-0080 in the amount of \$ 108.00. A duplicate copy of this sheet is enclosed.				
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.				
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.				
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 12-0080 as described below. A duplicate copy of this sheet is enclosed.				
<input checked="" type="checkbox"/> Credit any overpayment.				
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.				
Dated: October 13, 2004				
 John D. Lanza Attorney Reg. No.: 40,060 LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400				

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9308 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated October 13, 2004

Signature: 

(John D. Lanza)

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-6306 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated October 13, 2004

Signature:

(John D. Berza)

Docket No.: HXT-007
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Alexander P. Rigopoulos

Application No.: 10/711,398

Art Unit: N/A

Filed: September 16, 2004

Examiner: Not Yet Assigned

For: CREATING AND SELLING A MUSIC-BASED
VIDEO GAME

FIRST PRELIMINARY AMENDMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.